



18 MAR 2004

UNITED STATES PATENT and TRADEMARK OFFICE

A8

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

DENNISON, SCHEINER, SCHULTZ
& WAKEMAN
1745 Jefferson Davis Highway, Suite 612
Arlington, Virginia 22202-3417

In re Application of	:	DECISION ON
Jean-Paul MEAUSOONE et al	:	
PCT No.: PCT/FR99/02525	:	
Application No: 09/807,411	:	
Int. Filing Date: 18 October 1999	:	RENEWED PETITION
Priority Date: 19 October 1998	:	
Attorney's Docket No.: 01065	:	
For: TUBE WITH MULTILAYER HEAD AND	:	
METHOD FOR MAKING SAME	:	UNDER 37 CFR 1.47(a)

This decision is in response to applicants' "RENEWED PETITION UNDER 37 C.F.R. 1.47(a)" faxed on 26 February 2004.

BACKGROUND

The decision by this Office dated 23 June 2003 indicated that the record did not support Mr. La-Palus' refusal to join in the application.

On October 23, 2003 petitioner allegedly filed a renewed petition under 37 CFR 1.47(a) including a declaration now executed by the previously nonsigning inventor, Roger La-Palus.

On 26 February 2004, petitioner faxed this instant petition accompanied, *inter alia*, by a copy of an executed declaration by the previously non-signing inventor Roger La-Palus, and a copy of the postcard showing a date of submission on 23 October 2003.

DISCUSSION

Petition filed on 23 October 2003:

The postcard lists the items submitted on 23 October 2003 and it indicates, *inter alia*, an executed declaration by Roger La-Palus was submitted on such date.

MPEP 503 provides:

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO.

Petitioner's postcard receipt serves as *prima facie* evidence of receipt of the listed items, an executed declaration by nonsigning inventor Roger La-Palus on 23 October 2003, by the USPTO.

Petition filed under 37 CFR 1.47(a):

The petition states that an executed declaration by inventor Roger La-Palus is provided, and all the requirements have been met.

The declaration is now signed by all the inventors. Accordingly, the declaration submitted on 23 October 2003 complies with 37 CFR 1.497(a) and (b).

DECISION

The petition under 37 CFR 1.47(a) is **MOOT**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision, that is, for issuance of a Notification of Acceptance of Application (Form PCT/DO/EO/903) identifying a 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of 23 October 2003.


Rafael Bacares
PCT Legal Examiner
PCT Legal Office

Telephone: (703) 308-6312
Facsimile: (703) 308-6459


Leonard Smith
PCT Legal Examiner
PCT Legal Office